

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

April 16, 2007

CALL TO PODIUM:

Patricia Patula, Planner

RESPONSIBLE STAFF:

Patricia Patula, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
X	Historic District Commission
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
X	Other: Certificate of Approval

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

HISTORIC DISTRICT COMMISSION

Approval of Certificate of Approval:

HAWP- 107 Applicant: Holly Kerodin, 105 Meem Avenue,
Request for Fence Installation

SUPPORTING BACKGROUND:

At their meeting of April 5, 2007, the HPAC held a public hearing on this request for fencing at 105 Meem Avenue, which is a non-contributing resource to the Chestnut/Meem Historic District.

The applicants plan to install a five-foot, open board-on-board wooden fence to follow the property lines along three sides beginning at the rear corners of the house (Exhibit 23). Installation of the fence along the eastern side yard will create a ten-foot grassy strip (the unpaved public alley previously used as the side yard) which the applicants will continue to maintain. The existing chain link fence at the rear will be removed with the agreement of the adjacent property owner at 105 Floral Drive (Exhibit 25), but the chain link fence along the western side will remain at the 107 Meem Avenue owner's request. The residents abutting this alley are interested in pursuing abandonment of the alley, but recognize that this is not under the purview of HPAC or the HDC. See the draft minutes Exhibit 24.

Mary Jo LaFrance, 105 Chestnut Street, stated that the alley across Meem Avenue should be considered in any abandonment process.

Elizabeth Johnson, 104 Chestnut Street, while supporting the idea of the wooden fence, felt that "back-to-back" fences were unsightly and reiterated her suggestions regarding placement and timing of the new fence as presented in her letter of April 3, 2007 (Exhibit 21).

The HPAC unanimously voted to recommend approval, finding the request to be in compliance with Secretary of Interior Standard One, which states: "A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site." The installation of the fence, as presented, is a minimal change to the site and its environment. The Committee also found the fence design and placement to be in conformance with the Design Guidelines of the Chestnut/Meem Historic District.

Staff and HPAC recommend the HDC make the following motion:

Grant approval of HAWP-107 and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets Secretary of Interior Standard One and the Chestnut/Meem Historic District Design Guidelines.

DESIRED OUTCOME:

Vote on HAWP-107.

HPAC Public Hearing – April 5, 2007
HDC Review – April 16, 2007

**INDEX OF MEMORANDA
HAWP-107**

**Applicant: Holly Kerodin
105 Meem Avenue
Fence Installation**

Number	Exhibit
1.	Application
2.	Cover letter from applicant dated March 20, 2007
3.	Letter from property owner, Karen Brown, dated March 12, 2007
4.	Aerial Location of Site
5.	House Location Plat prepared by Ms. Kerodin based on tax map
6.	Fax response from Brynne Bisig, Paragon Title and Escrow Company, dated March 20, 2007
7.	Details of fence (three pages)
8.	Excerpt from Chestnut/Meem Design Guidelines re fencing
9.	Photographs of area (three pages)
10.	Notice to include legal ad for public hearing in the March 28, 2007, issue of the <i>Gaithersburg Gazette</i>
11.	Public hearing notice, sent out March 26, 2007, to the required parties
12.	Mailing List
13.	Revised public hearing notice with corrected dates sent March 30, 2007 to required parties
14.	By Reference: Chestnut/Meem Historic District Guidelines
15.	By Reference: Annotated Code of Maryland, Article 66B, Historic Resources
16.	By Reference: Secretary of Interior Standards for Rehabilitation
17.	By Reference: HD-22 Designation Documents
18.	By Reference: Qualifications of HPAC, HDC, and staff
19.	By Reference: Historic Preservation Ordinance

20. House Location Drawing provided by Applicant (done by Meridian Survey 3-29-07)
21. Letter received via e-mail on April 3, 2007 from Warren and Elizabeth Johnson at 10:13 a.m.
22. Letter to Planner Patula from Holly Kerodin dated April 5, 2007, re alternate fence placement
23. House Location Plat showing revised location of new fencing and removal of old fencing
24. Draft Minutes of the April 5, 2007 meeting of HPAC
25. Letter dated April 10, 2007, from Mrs. Constance Walker, of 105 Floral Drive, consenting to removal of chain link fence

HISTORIC AREA WORK PERMIT APPLICATION

In accordance with Chapter 24, Article XII of the City Code.

Application Number HAWP-107
 Date Filed 3-19-07
 Application Completed 4-5-07
 HPAC Hearing/Review 4-5-07
 HDC Hearing/Review 4-16-07
 Decision _____
 Date of Decision _____

1. SUBJECT PROPERTY

Address 105 Meem Avenue
 Lot 16 Block B Subdivision Meem's Addition to Town of Gaithersburg
 Tax Account Number 00840656

2. APPLICANT/OWNER/AUTHORIZED AGENT

Name Holly Kerodin Telephone 240-683-9795
 Address 105 Meem Avenue, Gaithersburg, MD 20877

3. OWNER OF RECORD (IF NOT APPLICANT)

Name Karen S. Brown Telephone 717-232-7814
 Address 1710 Mitchell Road Harrisburg, PA 17110

2. TYPE OF WORK (CHECK APPROPRIATE)

- ☒ Visible from public way
☐ Not visible from public way

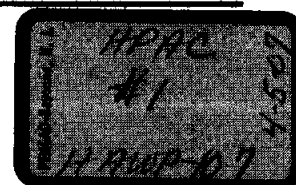
- | | | | |
|---|---|--------------------------------------|---|
| <input checked="" type="checkbox"/> Fence | <input type="checkbox"/> Windows | <input type="checkbox"/> Additions | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Siding | <input type="checkbox"/> Relocation | <input type="checkbox"/> In-kind Replacement |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Roofing | <input type="checkbox"/> Restoration | <input type="checkbox"/> Utilities (meters, cables, etc.) |
| <input type="checkbox"/> Landscape | <input type="checkbox"/> Accessory Building | <input type="checkbox"/> Demolition | <input type="checkbox"/> Miscellaneous |

4. DESCRIPTION OF PROPOSED WORK Installation of a 5-foot "open board on board" fence within the legal property lines of the lot. Fence placement will begin at the rear corners of the house and extend to the rear of the property.

5. HISTORIC AREA WORK PERMIT PROCESS AND APPLICATION SUBMISSION REQUIREMENTS (SEE PAGES 2-7)

I have read and understand the attached information regarding process and requirements in obtaining a Historic Area Work Permit.

Signature Holly Kerodin Date 3-19-2007



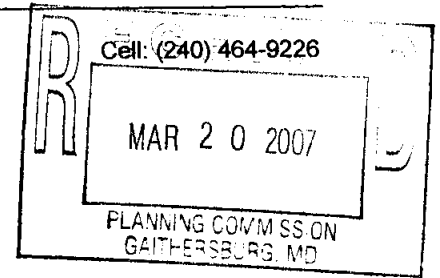
Holly A. Kerodin

105 Meem Avenue · Gaithersburg, MD 20877

Home Tel: (240) 683-9795

March 20, 2007

Patricia Patula, Planner
Planning & Code Administration
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877



RE: Historic Area Work Permit Application
105 Meem Avenue * Gaithersburg, MD 20877

Dear Pat:

Attached are the following documents:

- 1) Historic Area Work Permit Application
- 2) Letter from the owner of record, Karen Brown, giving full permission to install a new fence
- 3) Three color photographs of the existing chain link fence
- 4) Diagram showing placement of the existing fence (in red) and the proposed placement of the new fence (in blue) within the lot's true property lines
- 5) Pictures of the materials we plan to use to construct the new fence
- 6) Fax from Paragon Title & Escrow Company—the settlement company that handled closing of the sale when Karen Brown purchased the home from Nellie Hillman.

House Location Plat

A house location plat does not exist for this property. Montgomery County Land Records does not have it. Karen Brown does not have it among her settlement documents. Neither does the settlement company that performed the title search and handled the closing in January 2006. (Paragon Title & Escrow indicated that since Karen Brown purchased the home in cash and did not request a house location plat, they waived inclusion of the plat among the documents required for settlement.)

My Request

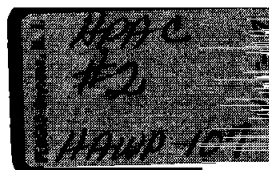
I request that the Historic Preservation Advisory Committee and Historic District Commission consider approving the permit in the absence of the house location plat. Once we obtain a fence permit, they could allow installation of the new fence 10' 6" from the existing fence on the far side of the city-owned alley. Such placement would ensure complete clearance of the alley. For the rear of the property and the alongside the lot 15, we would construct the fence to hug the existing chain link fence.

I look forward to hearing from you. I will be out of town Wednesday and Thursday of this week. In my absence you may speak with my husband, Chris. He can be reached at (240) 464-9228.

Sincerely,

Holly Kerodin

Holly Kerodin



Karen S. Brown

1710 Mitchell Road • Harrisburg, PA 17110

March 12, 2007

Planning & Code Administration
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

RE: Historic Area Work Permit & Fence Permit
105 Meem Avenue * Gaithersburg, MD 20877

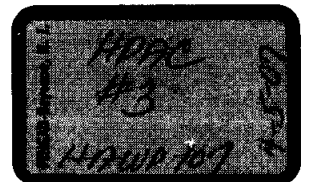
Dear Members of the Historic Preservation Advisory Committee:

I am the owner of the home at 105 Meem Avenue in the Chestnut/Meem Historic District. Please be advised that I have given full permission to the occupants, Chris & Holly Kerodin, to install a fence on the property. I further give full permission to the Kerodins to make any other improvements they consider appropriate, both to the structure of the home and to the surrounding yard.

Sincerely,

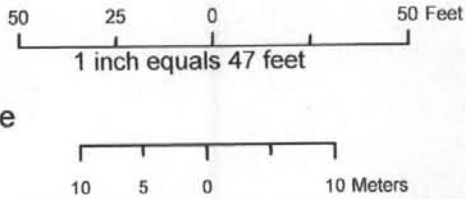


Karen S. Brown



HAWP-107

105 Meem Avenue



MD State Plane
HPGN NAD 83/91

TrueOrtho™ image data is copyrighted and licensed from ISTAR Americas, Inc., 2007. www.istar.com Property boundaries and planimetric basemap ©2007 M-NCPPC and City of Gaithersburg. All rights reserved. Aerial photo acquired April 2006.



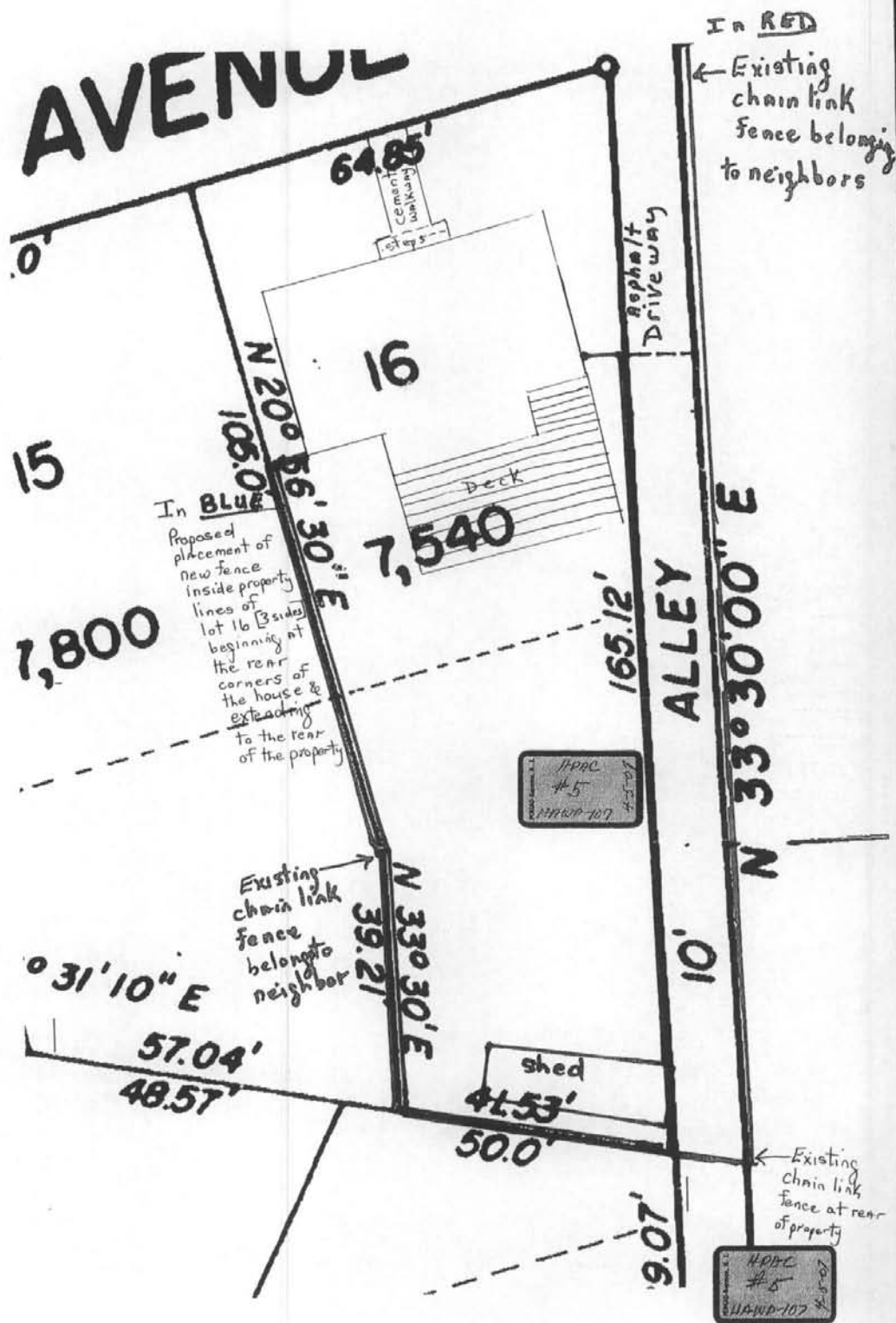
City of Gaithersburg
Planning and Code Admin
31 S Summit Ave
Gaithersburg, MD 20877
(301) 258-6330
www.gaithersburgmd.gov

The City of Gaithersburg makes no warranty, express or implied, for the completeness and accuracy of the information depicted on this map. This map may not be reproduced, in whole or in part, without the express written permission of the City of Gaithersburg and other referenced parties.

HAWP-107 Aerial 2006 March 2007



HPAC
#4
HAWP-107
4-5-07





Rothstein & Associates, P.A.
General Counsel

Randall M. Rothstein
Robert M. Greer
Richard L. Fritts
Fred E. Futrowski

Facsimile

Date: March 20, 2007

To: Chris 301-721-0008

From: Bryanne

Reference: 105 Meem Avenue

Fax Number: 301-986-8509

Telephone Number: 301-986-1114

Total Number of Pages Transmitted: 2

If you do not receive all pages, please contact me at the above-listed telephone number.

Memorandum--


Handwritten notes in the memorandum section:

HPAC #6
HAWP107
4-5-07

Holly,

At the time of settlement a location drawing for 105 Meem avenue in Gaithersburg, MD was not done. I apologize for the inconvenience, but we do not have a house location plat to provide you with.

Sincerely,


Brynne C. Bisig

Fax Cover

Date: **Monday, March 19, 2007**

To: **Linda Dycett**
Paragon Title & Escrow Company

Tel: 301-986-1114
Fax: **301-907-2858**

From: **Holly Kerodin / Assistant Operations Director**
hkerodin@chccorporate.com

Tel: 240-464-9226
Fax: **240-683-9795**

Re: **Request for Copy of House Location Plat**

Pages: 3

Property Address: 105 Meem Avenue * Gaithersburg, MD 20877
Previous Owner: Nellie Irene Hillman
Current Owner: Karen S. Brown
Settlement Date: January 12, 2006
File Number: 2195-05

Linda,

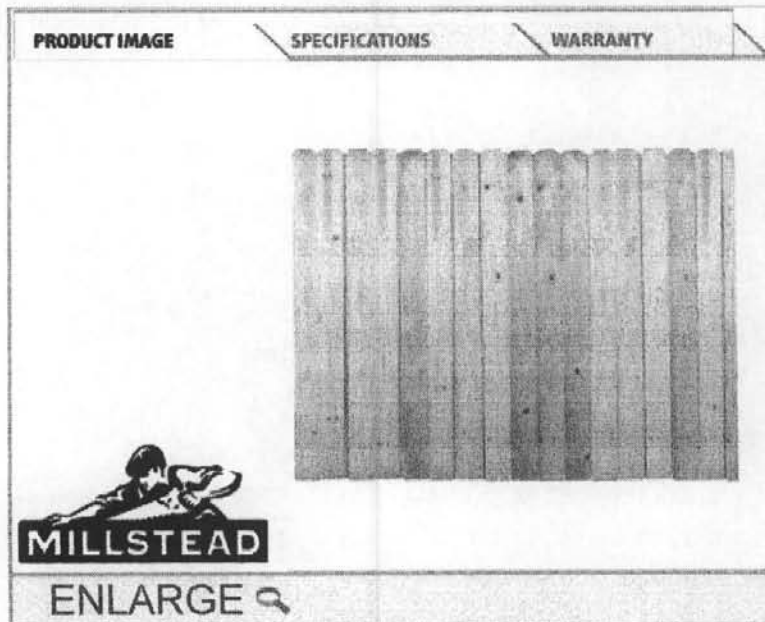
This is a follow-up to my earlier voicemail requesting a copy of the house location plat for the above property. The house location plat would have been obtained by Paragon during the title search and included among the settlement papers.

Reason for Request

I am presently living at the 105 Meem Avenue and am in a private sale agreement with Karen Brown to purchase the home. I would like to install a new fence on the property. However, this property is located within a designated historic district, which requires that I obtain a Historic Site Work Permit from the City of Gaithersburg. The permit application must include a copy of the House Location Plat showing building location & dimensions, etc.

I was unable to find the plat at Montgomery County Land Records. I requested the house location plat from Karen Brown but she sent Schedule A of the settlement documents. (See attached). The work permit application deadline is March 21st. Having received the incorrect document from Karen, I'm now on a tight deadline to find the correct house location plat.

5/8 In. x 5 1/2 In. x 6 Ft. Pressure Treated Lumber



FACE BOARDS,
ARRANGED IN 5' TALL OPEN
BOARD ON BOARD
CONFIGURATION
AS DEPICTED IN ACCEPTABLE DESIGNS.

Millstead

5/8 In. x 5 1/2 In. x 6 Ft. Pressure Treated Lumber

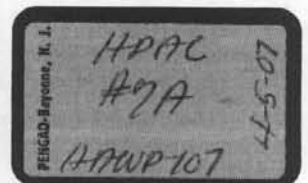
Model 0210930

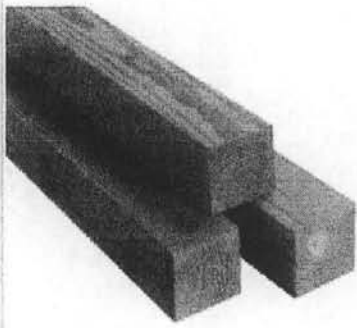
Millstead - A Home Depot Exclusive. Design a traditional dog-ear fence with your choice of posts and these pressure-treated pickets. These pickets help you build a level fence line on sloping land. We recommend a waterproofing treatment after installation to increase the life of your fence.

- Millstead - A Home Depot Exclusive Discover the Distinctive Difference You can see for yourself that Millstead lumber is of the highest quality. Every piece meets the highest grading standards for strength and appearance.
- Ideal for decks, docks, ramps, and other outdoor projects where lumber is exposed to the elements.
- Effective against termites, rot and fungal decay.
- Lifetime Limited Residential Warranty
- Can be painted or stained

Store SKU #169757

Store Price: \$1.59





POSTS

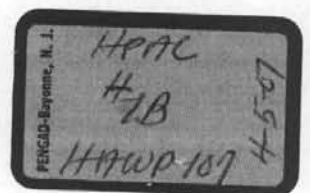
2' DEEP
CUT OFF EXCESS

4 In. x 4 In. x 8 Ft. Pressure Treated Lumber

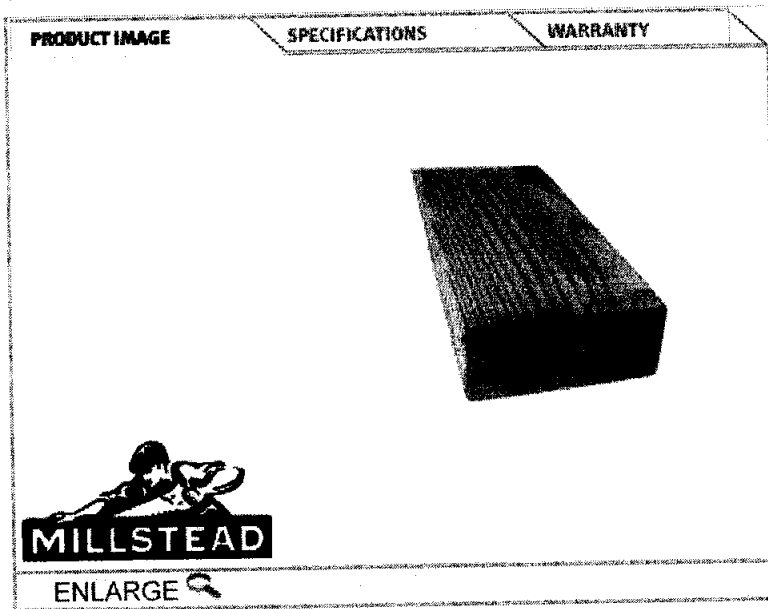
Model LU 53881 8

Millstead - A Home Depot Exclusive. Every piece meets the highest grading standards for strength and appearance. This lumber is pressure treated in order to protect it from termites, fungal decay, and rot. Ideal for a variety of applications, including decks, playsets, landscaping, stair support, walkways and other outdoor projects where lumber is exposed to the elements. This lumber can be painted or stained. When used properly, it is both safe and environmentally friendly.

Store Price: \$12.97



2 In. x 4 In. x 8 Ft. Pressure Treated Lumber



CROSS MEMBERS

Millstead

2 In. x 4 In. x 8 Ft. Pressure Treated Lumber

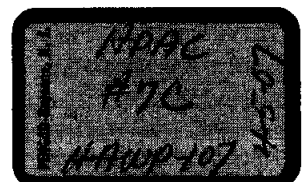
Model 02020408S4T025A

Millstead - A Home Depot Exclusive. Every piece meets the highest grading standards for strength and appearance. This lumber is pressure treated in order to protect it from termites, fungal decay, and rot. Ideal for a variety of applications, including decks, playsets, landscaping, stair support, walkways and other outdoor projects where lumber is exposed to the elements. This lumber can be painted or stained. When used properly, it is both safe and environmentally friendly.

- Millstead - A Home Depot Exclusive. Discover the distinctive difference. You can see for yourself that Millstead lumber is of the highest quality. Every piece meets the highest grading standards for strength and appearance.
- Use for decks, play structures, raised beds, planter boxes, retaining walls, walkways, outdoor furniture, landscaping and other outdoor projects where lumber is exposed to the elements.
- Effective against termites, rot and fungal decay.
- Lifetime Limited Residential Warranty
- Can be primed and painted or stained

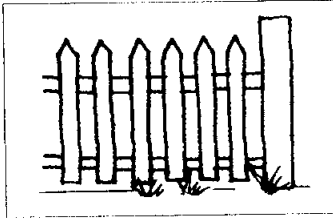
Store SKU #218458

Store Price: \$2.49

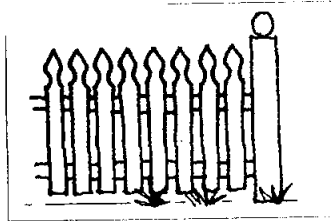


Front Yard Fence Styles

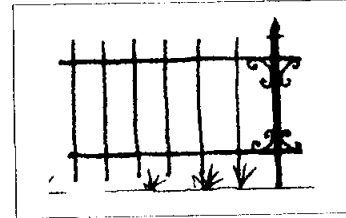
- Fences are quality wooden picket or wrought iron. Wood must be painted or stained a consistent color compatible with the house. Height should not exceed three feet.



Wooden pickets



Wooden pickets

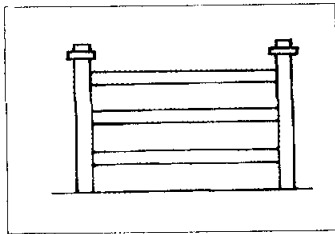


Wrought iron

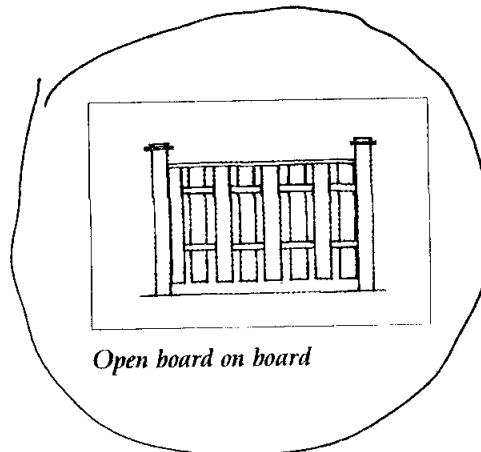
Rear Yard Fence Placement and Styles

- Privacy fencing over five feet and of a style which will block sight lines is unacceptable. Exceptions may be for property lines at the boundary of the district.
- Chain link fences should not be replaced in-kind. Replacement should be with a style appropriate to the district.

Acceptable Fence Styles



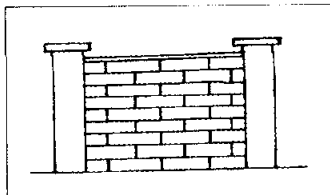
Open 3 rail fence combined with wire for pet containment



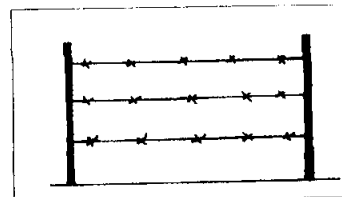
Open board on board

*Proposed
Fence
Style*

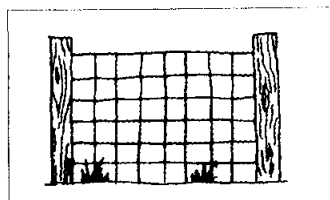
Unacceptable Fence Styles



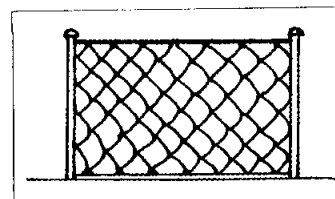
Masonry brick or block



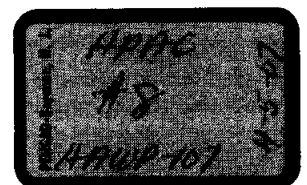
Barbed wire



Turkey or chicken wire



Chain link





PENGAD-Bayonne, N. J.
HPDL
#9A
1474MP101
4-5-07



PENGAD-Beyonne, N. J.

MARK
#918
11740P-107

4-5-07



PENGAD-Sayonne, N. J.

HP02
H9C
149W-107
45-07

March 22, 2007

Ashby Tanner, Law Section
The Gaithersburg Gazette
P.O. Caller 6006
Gaithersburg, Maryland 20884

Dear Ashby:

Please publish the following legal advertisement in the **March 28, 2007**, issue of the *Gaithersburg Gazette*.

Sincerely,

Patricia Patula

Patricia Patula, Planner
Planning and Code Administration

ASSIGN CODE: HAWP-107

NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-107, filed by Holly Kerodin, on

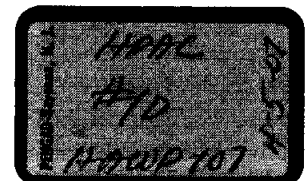
**THURSDAY
APRIL 5, 2007
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests a certificate of approval from the City's Historic District Commission for the installation of fencing at 105 Meem Avenue. §24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 16, Block B, of the Meem's Addition to Gaithersburg, is a non-contributing resource in the Chestnut/Meem Historic District.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Patricia Patula, Planner
Planning and Code Administration
JAM
Acct# 133649



From: "Rice, Ashby" <arice@gazette.net>
To: "Patricia Patula" <PPatula@gaithersburgmd.gov>
Date: 03/21/2007 2:54:30 PM
Subject: RE: Legal Ad for March 28 issue

Thank you. Ad will be published as requested.

Ashby Tanner
Legal Advertising Manager
TheGazette
301-670-2620 (office)
301-670-2634 (fax)
arice@gazette.net
LEGAL DEADLINES
Fridays Politics & Business Friday Edition: Tuesday's @ 5 pm
Classified ads for Montgomery Co. Editions: Tuesday's @ Noon
Classified ads for PG & Frederick Co. Editions: Wednesday's @ Noon
ALL A-Section ads: Friday's @ 5 pm

-----Original Message-----

From: Patricia Patula [mailto:PPatula@gaithersburgmd.gov]
Sent: Wednesday, March 21, 2007 12:58 PM
To: Rice, Ashby
Subject: Legal Ad for March 28 issue

Ashley,

It's attached. Please confirm receipt. Thank you.

Patricia Patula
Planner
Planning and Code Administration
Staff Liaison to the Historic Preservation Advisory Committee,
Staff Liaison to the Historic District Commission
Staff Liaison to the Greater Historic District Committee

(301)-258-6330 X121
(301)-258-6336 Fax

City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877



Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF PUBLIC HEARING

The City of Gaithersburg Historic Preservation Advisory Committee will conduct a public hearing at the time and place noted below.

Meeting:	Historic Preservation Advisory Committee
Application Type:	Historic Area Work Permit Request
File Number:	HAWP-107
Location:	105 Meem Avenue Lot 16, Block B of Meem's Addition to Gaithersburg
Applicant:	Holly Kerodin
Development:	Chestnut/Meem Historic District
Day/ Date/Time:	Thursday, May 4, 2006, 7:30 p.m. ← INCORRECT
Place:	COUNCIL CHAMBERS, GAITHERSBURG CITY HALL 31 SOUTH SUMMIT AVENUE

REVISED
SENT
3-20-07

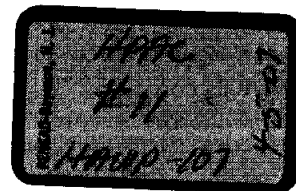
IMPORTANT

The application requests a certificate of approval from the City's Historic District Commission for installation of fencing at **105 Meem Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 16, Block B, of Meem's Addition to Gaithersburg, is a non-contributing resource to the Chestnut/Meem Historic District. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

By: Patricia Patula
Patricia Patula, Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



7
NOTICES SENT THIS 26th DAY OF MARCH, 2006, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

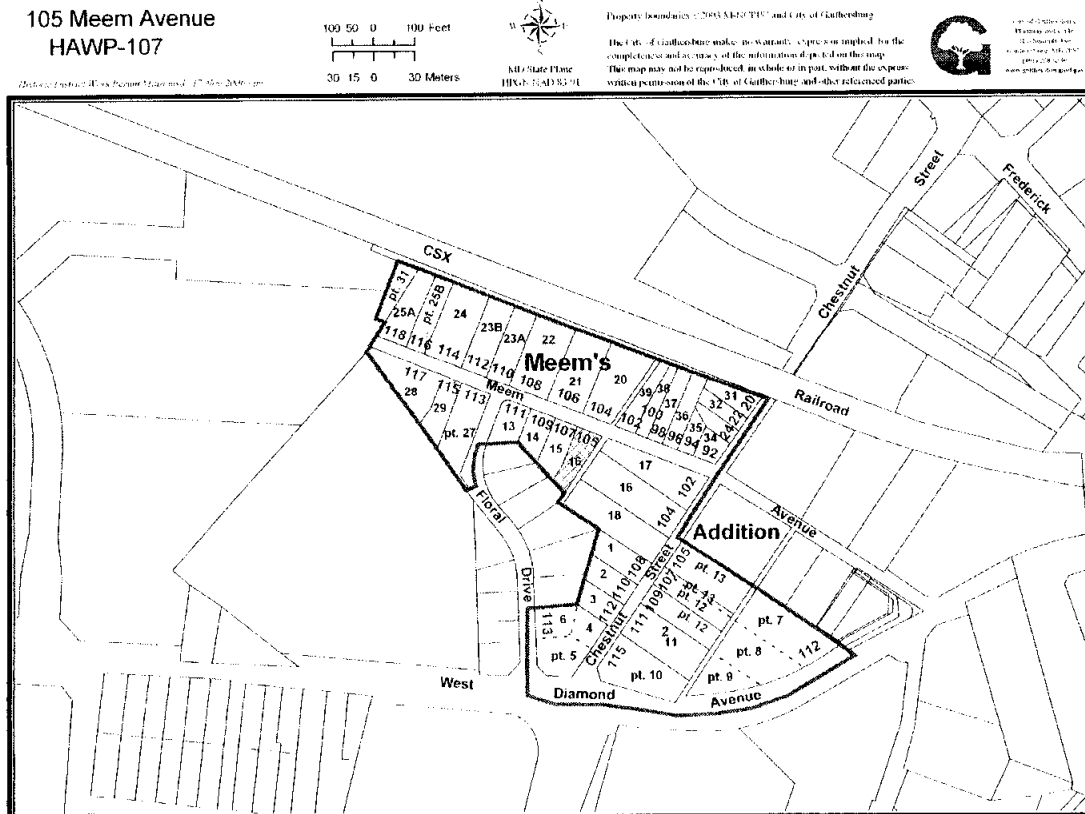
HISTORIC PRESERVATION ADVISORY COMMITTEE

HISTORIC DISTRICT COMMISSION

CITY STAFF

David B. Humpton, City Manager
Frederick J. Felton, Assistant City Manager
Tony Tomasello, Assistant City Manager
Cathy Borten, City Attorney
Britta Monaco, Public Information Director
Doris Stokes, Administrative Assistant
Jeff Baldwin, City Web Administrator (via email)

LOCATION MAP



ANDREW & RUTH S FROST
107 CHESTNUT ST
GAITHERSBURG MD 20877

B&L LIMITED PTNSHP
101 CHESTNUT ST STE 125
GAITHERSBURG MD 20877

BLAISE A MILLER
101 CHESTNUT ST STE 100
GAITHERSBURG MD 20877

CATALINA SANCHEZ
100 MEEM AVE
GAITHERSBURG MD 20877

DEBRA L RANDALL
GLEN L MATOTT
92 MEEM AVE
GAITHERSBURG MD 20877

E EUGENE & H B HOYLE
C/O SCOTT HOYLE
10037 PEBBLE BEACH TER
IJAMSVILLE MD 21754

FARID BAKHADJ
900 WHITE PINE PL
POTOMAC MD 20854

FIRST BAPT CH GBURG INC
200 W DIAMOND AVE
GAITHERSBURG MD 20877

G F ENTERPRISES LLC
101 CHESTNUT ST STE 130
GAITHERSBURG MD 20877

GAITHERSBURG HISTORICAL
ASSOCIATION
PO BOX 211
GAITHERSBURG MD 20884

HARRY T & S F SLICER
4133 GRANBY RD
WOODBIDGE VA 22193

JOHN E WARD
416 PARK ROAD
ROCKVILLE MD 20850

JOHN PTRUST ARAVANIS
15216 WILD ROSE LN
ROCKVILLE MD 20853

JUAN A & ADELA A CRUZ
109 CHESTNUT ST
GAITHERSBURG MD 20877

KAREN S BROWN
1710 MITCHELL RD
HARRISBURG PA 17110

LLOYD I & M H WARD
107 MEEM AVE
GAITHERSBURG MD 20877

MARKOS V & ERIFI KOTSATOS
113 FLORAL DR
GAITHERSBURG MD 20877

OCCUPANT
111 FLORAL DRIVE
GAITHERSBURG MD 20877

OCCUPANT
109 FLORAL DRIVE
GAITHERSBURG MD 20877

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107 FLORAL DRIVE
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105 FLORAL DRIVE
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103 FLORAL DRIVE
GAITHERSBURG MD 20877

OCCUPANT
101 FLORAL DRIVE
GAITHERSBURG MD 20877

OCCUPANT
106 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
101 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
92 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
94 MEEM AVE
GAITHERSBURG MD 20877

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96 MEEM AVE
GAITHERSBURG MD 20877

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114 MEEM AVE
GAITHERSBURG MD 20877

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GAITHERSBURG MD 20877

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107 CHESTNUT ST
GAITHERSBURG MD 20877

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GAITHERSBURG MD 20877

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111 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
20 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
22 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
24 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
115 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
104 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
108 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
112 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
200 W DIAMOND AVE
GAITHERSBURG MD 20877

THOMAS W & S R APPLEBY
7721 PRINCE HALL CT
GAITHERSBURG MD 20877

TIMOTHY L SHAW
7801 BRINK RD
GAITHERSBURG MD 20882

TRINIDAD & VIRGINIA CRUZ
442 GAITHER ST
GAITHERSBURG MD 20877

VICTOR J PEEKE
PO BOX 489
CLARKSBURG MD 20871

WINIFRED B LEHMAN
58 AVENIDA DEL SOL
CEDAR CREST NM 87008



Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

**REVISED: DATE CORRECTION
NOTICE OF PUBLIC HEARING**

The City of Gaithersburg Historic Preservation Advisory Committee will conduct a public hearing at the time and place noted below.

Meeting: **Historic Preservation Advisory Committee**
Application Type: **Historic Area Work Permit Request**
File Number: **HAWP-107**
Location: **105 Meem Avenue**
Lot 16, Block B of Meem's Addition to Gaithersburg
Applicant: **Holly Kerodin**
Development: **Chestnut/Meem Historic District**
Day/ Date/Time: **Thursday, April 5, 2007, 7:30 p.m.**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**
31 SOUTH SUMMIT AVENUE

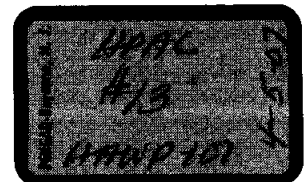
*****IMPORTANT*****

The application requests a certificate of approval from the City's Historic District Commission for installation of fencing at **105 Meem Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 16, Block B, of Meem's Addition to Gaithersburg, is a non-contributing resource to the Chestnut/Meem Historic District. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

By: Patricia Patula
Patricia Patula, Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 30th DAY OF MARCH, 2007, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

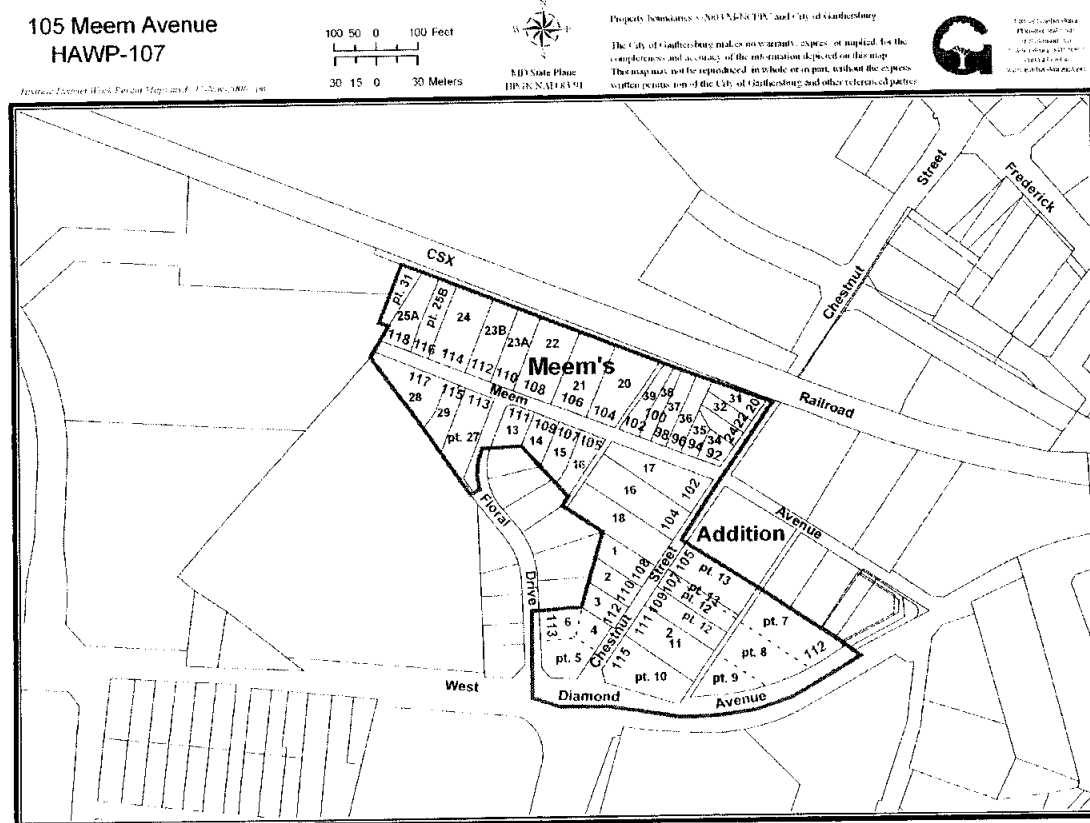
HISTORIC PRESERVATION ADVISORY COMMITTEE

HISTORIC DISTRICT COMMISSION

CITY STAFF

David B. Humpton, City Manager
Frederick J. Felton, Assistant City Manager
Tony Tomasello, Assistant City Manager
Cathy Borten, City Attorney
Britta Monaco, Public Information Director
Doris Stokes, Administrative Assistant
Jeff Baldwin, City Web Administrator (via email)

LOCATION MAP



Meridian Surveys, Inc.
811 Russell Avenue
Suite #303
Gaithersburg, MD 20879
(301) 721-9400

April 3, 2007

Pat Patula, Planner
Planning and Code Administration
City of Gaithersburg
31 South Summit
Gaithersburg, MD 20877-2098

Pat,

As an abutting neighbor and property owner to 105 Meem Ave, we are writing in reference to the application for HAWP 107 to erect a fence at 105 Meem Ave. The applicant, Holly Kerodin has proposed a fence at the southern boundary of the property and at the northern boundary of the ally between Chestnut St. properties and 105 Meem Ave. We are concerned that the potential result might be the alley bounded by fences on both sides and a strip of property that cannot be accessed conveniently for purposes of maintenance.

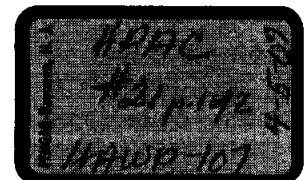
We believe there is a better alternative. It is appropriate that the alley be abandoned by the City with the 10 foot strip transferred equally to the property owners on either side of the alley. We recognize this is not a decision to be made by HPAC or HDC. Provided the applicant is willing, we suggest that HAWP 107 be issued for a fence on the boundary that would result if the alley is abandoned and divided down the middle.

Carl Kerodin of 105 Meem Ave met with the property owners of 102 Chestnut St., Dan Washburn and Mary K Pedigo, and 104 Chestnut St property owners, Elizabeth and Warren Johnson. We determined that the new, adjusted property line would intrude only two feet into the driveway at 105 Meem Ave. There is sufficient room to add this width to the other side of the driveway so the drive will remain usable after the alley is abandoned.

It is recognized that the alley cannot be abandoned before the applicant needs to install the new fence. Therefore if this plan is to be implemented, the City would need to permit the Kerodins to erect the fence in the middle of the alley. If the City agrees to this proposal and the applicant is agreeable, the fence will not need to be relocated at a later date should the alley be abandoned, nor will there be need to come before HPAC and HDC on this matter again.

Respectfully submitted,

Warren and Elizabeth Johnson
104 Chestnut Street
Gaithersburg, MD 20877
301-208-1394



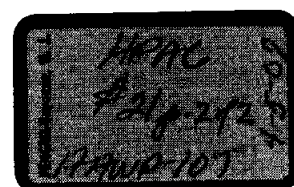
Patricia Patula - HAWP 107

From: "ELIZABETH JOHNSON" <LizJo53@msn.com>
To: <PPatula@gaithersburgmd.gov>
Date: 04/03/2007 10:13 AM
Subject: HAWP 107
CC: "Dan Washburn" <danw@netmastersinc.com>, "Mary K Pedigo" <maryk@NetMastersInc.com>, "Keana Scott" <kckscott@yahoo.com>, "John Henry Scott" <js0b@yahoo.com>, "Andrew Frost" <drewfrost@earthlink.net>, "Ruth Frost" <Frost_Ruth@emc.com>, "Bernie LaFrance" <bernie.lafrance@nrl.navy.mil>

Pat,

Attached is a letter to be entered into the record on HAWP 107. Please feel free to contact us if there are any questions or observations.

Liz Johnson



Holly A. Kerodin

105 Meem Avenue • Gaithersburg, MD 20877

Home Tel: (240) 683-9795

Cell: (240) 464-9226

Date: April 5, 2007

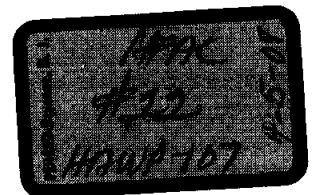
To: Pat Patula

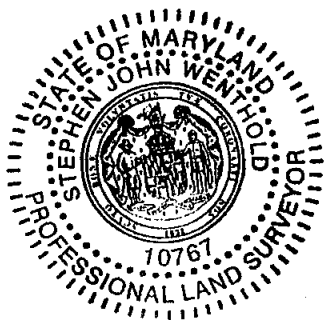
From: Holly Kerodin

RE: Historic Work Area Permit & Fence Permit for 105 Meem Avenue
Alternate Fence Placement

When I submitted my application for the HWAP, I originally proposed constructing the new fence to hug the existing chain link fences at the rear of the property and alongside Lot 15 (107 Meem Avenue).

I would now like to submit a 2nd option, which is to replace either one or both of those two chain link fences. We already have agreement from Mrs. Walker, our neighbor at the rear (Lot 10 – Floral Drive) to replace the fence between our two properties. We will be discussing the matter with our next door neighbor at 107 Meem. And, if he is in agreement we would also replace the fencing on that side of our lot.





NOTE: NO EVIDENCE OF PROPERTY CORNERS WAS FOUND. APPARENT OCCUPATION IS SHOWN. ENCROACHMENTS/ENCUMBRANCES MAY EXIST WHICH CANNOT BE DETERMINED WITHOUT BENEFIT OF A BOUNDARY SURVEY.

Date: 03-29-07
Plat Book: 40
Plat No.: 2846
Work Order: 07-1742
Address: 105 MEEM AVENUE
District: 9
Jurisdiction: MONTGOMERY COUNTY, MD

Scale: 1" = 30' Dmn: DB

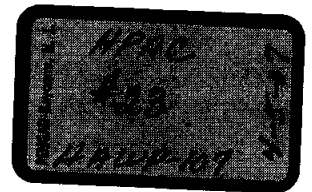
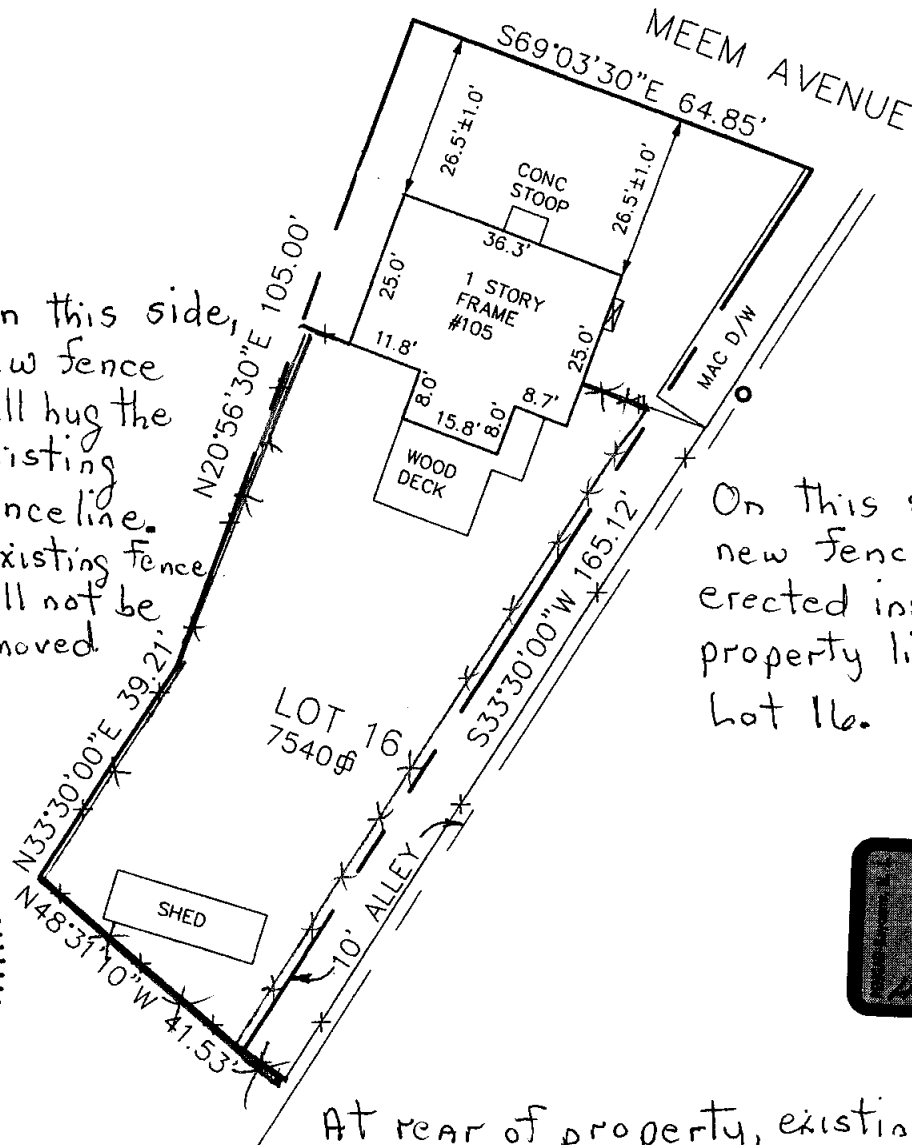
NO TITLE REPORT FURNISHED

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

LOCATION DRAWING
LOT 16
BLOCK B
MEEM'S ADDITION
TOWN OF GAITHERSBURG

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.



Stephen J. Wenthold



Meridian Surveys, Inc.
811 Russell Avenue
Suite #303
Gaithersburg, MD 20879
(301) 721-9400

2. HAWP-107 Applicant: Holly Kerodin
105 Meem Avenue
Request: Fence Installation

DRAFT

Planner Patula stated that the public hearing was advertised in the March 18, 2007, issue of the *Gaithersburg Gazette*, the property posted, and 22 exhibits were in the record file, with the last three being distributed prior to the meeting. The property is a non-contributing resource to the Chestnut/Meem Historic District.

Mr. Chris Kerodin, applicant, stated that the request is for installation of a five-foot high, open board-on-board wooden fence to follow the property lines. It will begin at the rear corners of the house and continue on the sides to the rear and along the rear. Mr. Kerodin explained that the existing chain link fence at the rear will be removed so that only the new fence would separate the properties at 105 Meem Avenue and 105 Floral Drive. This is with the agreement of Mr. and Mrs. Kim Walker, who own 105 Floral Drive. Mr. Kerodin stated he was in process of negotiating a similar arrangement with the owner of 107 Meem Avenue to remove the side yard chain link fence.

Mr. Kerodin assured the committee that he would continue to maintain the alley area after the new fence is installed.

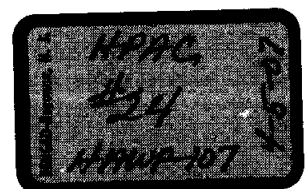
Ms. Patula explained that Exhibit 5, a tax map version of the house location plat prepared by the applicants showing the proposed location of the new fence alongside the existing fences, would need to be revised. A new house location plat had been prepared (Exhibit 20) and the existing chain link fences at the rear, and probably the side adjacent to 107 Meem Avenue, would be removed, and that the drawing needed to reflect the changes.

Mr. Kerodin felt that it was premature to consider an abandonment of the alley. The Kerodins need the five-foot fence immediately to contain their dogs and are willing to relocate the new fence at a later date should the abandonment occur and the property lines change.

Planner Patula gave a brief synopsis of the abandonment process and confirmed that abandonment of an alley was not under HPAC's purview.

Mary Jo Lafrance, 105 Chestnut Street, said that the alley, which continues on the other side of Meem Avenue, should also be included in any abandonment proceedings.

Elizabeth Johnson, 104 Chestnut Street, pointed out that almost all the owners who would be affected by the abandonment of the alley were present at the meeting. She explained that she has no objection to the new fence, but felt fences placed "back-to-back" as initially shown on the tax map drawing, would be unsightly and the area in between difficult to maintain. Ms. Johnson informed the group that a recent boundary survey for the properties at 104 and 106 Chestnut showed that the existing chain link fences of those properties were actually in the alley. She had no knowledge of when these fences may have been installed. Ms. Johnson also referred to her letter submitted to the record which proposed options for fence placement and timing.



Member Coratola inquired about who was required to maintain the grass in the alley. Planner Patula replied that Jim Arnoult, Director of the Department of Public Works, Park Maintenance, and Engineering, confirmed that the adjacent property owner would do that, even as a property owner maintains the public right-of-way abutting their property by cutting the grass, removing snow, etc.

Responding to Ms. Johnson's question about who would remove the fence currently in the alley, Chair Arkin replied that HPAC had no authority to remove a fence on City property and to consult with Director Arnoult.

Member Bernstein encouraged the group to work together to resolve the alley issue because there would be costs involved and lot line adjustments if the alley is abandoned.

Member Drzyzgula stated that the proposed fence style and location met the design guidelines for the Chestnut/Meem Historic District and inquired about the shape at the top of the boards and whether there would be a flat board trim along the top.

Mr. Kerodin said he would trim one inch from each board so they would be straight at the top and bottom, that the boards would be placed in an open board-on-board pattern, and that a trim board would be placed on top to stabilize and strengthen the fence.

There was no other testimony presented in favor of or in opposition to the application.

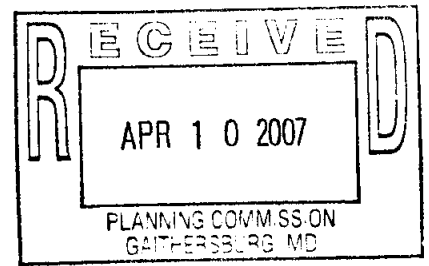
Motion was made by Member Moyer, seconded by Member Bernstein, that the record on HAWP-107 be closed.

VOTE: 5-0

Motion was made by Member Drzyzgula, seconded by Member Moyer, that HAWP-107 be recommended for approval finding it in compliance with Secretary of Interior Standard One, which states: "A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment."

The installation of the fence, as presented in the application, with the existing chain link fence to be removed at the rear and possibly the side, is a minimal change to the site. The application also meets the Design Guidelines for the Chestnut/Meem Historic District.

VOTE: 5-0



April 10, 2007

Patricia Patula, Planner
Planning & Code Administration
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

RE: Historic Area Work Permit Application
New Fence for 105 Meem Avenue

By my signature below, I confirm my consent to the removal of the chain link fence currently separating 105 Meem Avenue from my property at 105 Floral Drive.

Constance L. Walker
Print Name
105 Floral Drive
Gaithersburg, MD 20877

Constance L. Walker
Signature
Apr. 10, 2007
Date

